

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

3:11-CR-102-LRH-(VPC)

11 JAMES VINCENT BANKS,)

12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on November 15, 2012, defendant JAMES VINCENT BANKS pled
15 guilty to Count One of a One-Count Second Superseding Criminal Information charging him with
16 Possession of a Firearm by a Convicted Felon in violation of Title 18, United States Code, Section
17 922(g)(1). Second Superseding Information, ECF No. 21; Change of Plea, ECF No. 23.

18 This Court finds defendant JAMES VINCENT BANKS agreed to the forfeiture of the property
19 set forth in Forfeiture Allegation of the Second Superseding Criminal Information. Second
20 Superseding Information, ECF No. 21; Change of Plea, ECF No. 23.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Second
23 Superseding Criminal Information and the offense to which defendant JAMES VINCENT BANKS
24 pled guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
26 924(d) and Title 28, United States Code, Section 2461(c):

1. a Hi Point, model C9, 9 mm pistol, serial number P1439968; and
2. any and all ammunition ("property").

3 This Court finds the United States of America is now entitled to, and should, reduce the
4 aforementioned property to the possession of the United States of America.

5 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
6 United States of America should seize the aforementioned property.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
8 JAMES VINCENT BANKS in the aforementioned property is forfeited and is vested in the United
9 States of America and shall be safely held by the United States of America until further order of
10 the Court.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
12 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
13 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
14 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
15 state the name and contact information for the government attorney to be served with the petition,
16 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
18 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
19 Virginia Street, 3rd Floor, Reno, NV 89501.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
21 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
22 following address at the time of filing:

23 Greg Addington
24 Assistant United States Attorney
25 100 West Liberty Street, Suite 600
26 Reno, NV 89501

...

...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 29th day of November, 2012.

6
7 

8
9 _____
10 LARRY R. HICKS
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26